

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V MARLON SCARBER

Docket No. 297365

LC No. 06-003811-02

Karen M. Fort Hood
Presiding Judge

Michael J. Talbot

Christopher M. Murray
Judges

The Court orders that the motion to waive fees is GRANTED for this case only.

The Court further orders that the delayed application for leave to appeal is DENIED. Because defendant previously appealed his conviction as of right, he could seek relief in the circuit court only under the procedures provided by Subchapter of 6.500 of the Michigan Court Rules. Accordingly, this Court examined defendant's application seeking leave from the circuit court's denial of his motion to dismiss all charges under the standards set forth in MCR 6.508(D). The application is denied because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUL 28 2010

Date

Sandra Schultz Mengel
Chief Clerk